



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0489

Introduced 2/8/2007, by Sen. Antonio Munoz - Frank C. Watson

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.675 new
30 ILCS 105/8h
625 ILCS 5/3-664 new

Amends the Illinois Vehicle Code and the State Finance Act. Provides for the issuance of Support Our Troops license plates for an additional fee of \$40 at original issuance and \$27 at renewal. Provides that \$25 of these fees shall be deposited into the Support Our Troops Fund. Provides that \$15 of the original issuance fee and \$2 of the renewal fee shall be deposited into the Secretary of State Special License Plate Fund. Creates the Support Our Troops Fund as a special fund in the State treasury. Provides that all moneys in the Support Our Troops Fund shall be paid as grants to Illinois Support Our Troops, Inc., for charitable assistance to the troops and their families in accordance with its Articles of Incorporation. Provides that the State Finance Act provision allowing the transfer of moneys from other funds into the General Revenue Fund does not apply to moneys deposited into the Support Our Troops Fund. Effective immediately.

LRB095 07055 DRH 28355 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning vehicles.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by changing
5 Section 8h and adding Section 5.675 as follows:

6 (30 ILCS 105/5.675 new)

7 Sec. 5.675. The Support Our Troops Fund.

8 (30 ILCS 105/8h)

9 Sec. 8h. Transfers to General Revenue Fund.

10 (a) Except as otherwise provided in this Section and
11 Section 8n of this Act, and ~~(e), (d), or (e),~~ notwithstanding
12 any other State law to the contrary, the Governor may, through
13 June 30, 2007, from time to time direct the State Treasurer and
14 Comptroller to transfer a specified sum from any fund held by
15 the State Treasurer to the General Revenue Fund in order to
16 help defray the State's operating costs for the fiscal year.
17 The total transfer under this Section from any fund in any
18 fiscal year shall not exceed the lesser of (i) 8% of the
19 revenues to be deposited into the fund during that fiscal year
20 or (ii) an amount that leaves a remaining fund balance of 25%
21 of the July 1 fund balance of that fiscal year. In fiscal year
22 2005 only, prior to calculating the July 1, 2004 final

1 balances, the Governor may calculate and direct the State
2 Treasurer with the Comptroller to transfer additional amounts
3 determined by applying the formula authorized in Public Act
4 93-839 to the funds balances on July 1, 2003. No transfer may
5 be made from a fund under this Section that would have the
6 effect of reducing the available balance in the fund to an
7 amount less than the amount remaining unexpended and unreserved
8 from the total appropriation from that fund estimated to be
9 expended for that fiscal year. This Section does not apply to
10 any funds that are restricted by federal law to a specific use,
11 to any funds in the Motor Fuel Tax Fund, the Intercity
12 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
13 Provider Relief Fund, the Teacher Health Insurance Security
14 Fund, the Reviewing Court Alternative Dispute Resolution Fund,
15 the Voters' Guide Fund, the Foreign Language Interpreter Fund,
16 the Lawyers' Assistance Program Fund, the Supreme Court Federal
17 Projects Fund, the Supreme Court Special State Projects Fund,
18 the Supplemental Low-Income Energy Assistance Fund, the Good
19 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste
20 Facility Development and Operation Fund, the Horse Racing
21 Equity Trust Fund, or the Hospital Basic Services Preservation
22 Fund, or to any funds to which subsection (f) of Section 20-40
23 of the Nursing and Advanced Practice Nursing Act applies. No
24 transfers may be made under this Section from the Pet
25 Population Control Fund. Notwithstanding any other provision
26 of this Section, for fiscal year 2004, the total transfer under

1 this Section from the Road Fund or the State Construction
2 Account Fund shall not exceed the lesser of (i) 5% of the
3 revenues to be deposited into the fund during that fiscal year
4 or (ii) 25% of the beginning balance in the fund. For fiscal
5 year 2005 through fiscal year 2007, no amounts may be
6 transferred under this Section from the Road Fund, the State
7 Construction Account Fund, the Criminal Justice Information
8 Systems Trust Fund, the Wireless Service Emergency Fund, or the
9 Mandatory Arbitration Fund.

10 In determining the available balance in a fund, the
11 Governor may include receipts, transfers into the fund, and
12 other resources anticipated to be available in the fund in that
13 fiscal year.

14 The State Treasurer and Comptroller shall transfer the
15 amounts designated under this Section as soon as may be
16 practicable after receiving the direction to transfer from the
17 Governor.

18 (a-5) Transfers directed to be made under this Section on
19 or before February 28, 2006 that are still pending on May 19,
20 2006 (the effective date of Public Act 94-774) ~~this amendatory~~
21 ~~Act of the 94th General Assembly~~ shall be redirected as
22 provided in Section 8n of this Act.

23 (b) This Section does not apply to: (i) the Ticket For The
24 Cure Fund; (ii) any fund established under the Community Senior
25 Services and Resources Act; or (iii) on or after January 1,
26 2006 (the effective date of Public Act 94-511), the Child Labor

1 and Day and Temporary Labor Enforcement Fund.

2 (c) This Section does not apply to the Demutualization
3 Trust Fund established under the Uniform Disposition of
4 Unclaimed Property Act.

5 (d) This Section does not apply to moneys set aside in the
6 Illinois State Podiatric Disciplinary Fund for podiatric
7 scholarships and residency programs under the Podiatric
8 Scholarship and Residency Act.

9 (e) Subsection (a) does not apply to, and no transfer may
10 be made under this Section from, the Pension Stabilization
11 Fund.

12 (f) This Section does not apply to moneys deposited into
13 the Support Our Troops Fund.

14 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
15 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
16 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
17 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
18 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
19 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
20 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.
21 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,
22 eff. 6-6-06; revised 6-19-06.)

23 Section 10. The Illinois Vehicle Code is amended by adding
24 Section 3-664 as follows:

1 (625 ILCS 5/3-664 new)

2 Sec. 3-664. Support Our Troops license plates.

3 (a) The Secretary, upon receipt of all applicable fees and
4 applications made in the form prescribed by the Secretary, may
5 issue special registration plates designated as Support Our
6 Troops license plates. The special plates issued under this
7 Section shall be affixed only to passenger vehicles of the
8 first division or motor vehicles of the second division
9 weighing not more than 8,000 pounds. Plates issued under this
10 Section shall expire according to the multi-year procedure
11 established by Section 3-414.1 of this Code.

12 (b) The design and color of the special plates shall be
13 wholly within the discretion of the Secretary, except that the
14 emblem of the organization Illinois Support Our Troops, Inc.,
15 and its "Support Our Troops!" mark shall appear on the plate.
16 The address of the organization's Internet web site may appear
17 on the plate, and the organization may alternate the mark to
18 "Salute our Heroes!" in a manner that respects inventory. The
19 field of the plate may be colored. The Secretary may, in his or
20 her discretion, allow the plates to be issued as vanity or
21 personalized plates in accordance with Section 3-405.1 of this
22 Code. The plates are not required to designate "Land of
23 Lincoln", as prescribed in subsection (b) of Section 3-412 of
24 this Code. The Secretary, in his or her discretion, shall
25 approve and prescribe stickers or decals as provided under
26 Section 3-412.

1 (c) An applicant for the special plate shall be charged a
2 \$40 fee for original issuance in addition to the appropriate
3 registration fee. Of this fee, \$25 shall be deposited into the
4 Support Our Troops Fund and \$15 shall be deposited into the
5 Secretary of State Special License Plate Fund to be used by the
6 Secretary to help defray the administrative processing costs.
7 For each registration renewal period, a \$27 fee, in addition to
8 the appropriate registration fee, shall be charged. Of this
9 fee, \$25 shall be deposited into the Support Our Troops Fund
10 and \$2 shall be deposited into the Secretary of State Special
11 License Plate Fund.

12 (d) The Support Our Troops Fund is created as a special
13 fund in the State treasury. All moneys in the Support Our
14 Troops Fund shall be paid, subject to appropriation by the
15 General Assembly and approval by the Secretary, as grants to
16 Illinois Support Our Troops, Inc., a not-for-profit public
17 purpose charity under Internal Revenue Code Section 501(c)(3),
18 for charitable assistance to the troops and their families in
19 accordance with its Articles of Incorporation.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.